

INCOMING TELEGRAM

Department of State

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Classification

Control: 7056

Rec'd:

FEBRUARY 12, 1959

8:50 AM

EUR

Info

FROM: BERLIN

RMR

TO: Secretary of State

SS

NO: 686, FEBRUARY 12, 2 PM.

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File

125 FEB 12 PM 2 09

DEPARTMENT OF STATE

SENT DEPARTMENT 686, REPEATED INFORMATION BONN 617, LONDON 126, PARIS 159, MOSCOW 208, USAREUR 210.

USAREUR FOR POLAD

PARIS FOR EMBASSY, USRO, CINCEUR THURSTON & WEST

REFERENCE: DEPTEL 1227, TO MOSCOW

FROM BRUCE

IN MAKING PROPOSAL CONTAINED USBER'S 673 TO DEPT, POLADS HAD IN MIND ORAL DISCUSSIONS WITH SOV MFA IN WHICH ALLIED EMBASSIES WOULD PUT FORWARD THE VARIOUS JUSTIFICATIONS OF OUR POSITION IN PIECEMEAL FASHION WITH A VIEW TO HAVING DISCUSSION DRAG ON FOR SEVERAL MONTHS.

I AGREE, AS DOES USBER, WITH MOSCOW'S 1588 TO DEPT THAT NOTE PROPOSED DEPTEL 1227 TO MOSCOW LIKELY TO LEAD TO CATEGORICAL REJECTION BY SOVS OF ALLIED POSITION ON INSPECTION, IN WHICH CASE NOTE WOULD HAVE SERVED NO RPT NO PURPOSE AND COURT OF LAST RESORT WOULD HAVE BEEN PREMATURELY CONVOKED.

NOTE PROPOSED DEPTEL 1227 TO MOSCOW SHOULD, IN OUR OPINION, NOT BE SENT NOW, BUT COULD BE HELD IN RESERVE FOR CONSIDERATION LATER IF ANOTHER U.S. CONVOY IS HELD AND MEANS OF REMEDY AT BERLIN LEVEL ARE EXHAUSTED.

WE HAVE FOLLOWING SUGGESTIONS ON TEXT NOTE CONTAINED IN REFTEL

1. INSERT FOLLOWING BETWEEN FIRST AND SECOND SENTENCE  
3RD PARA.:

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Authority NND 877418

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-2- 686, FEBRUARY 12, 2 PM., FROM BERLIN

3RD PARA.:

"VERIFICATION OF U.S. VEHICLES TO DETERMINE THAT THEY ARE PROPERLY DOCUMENTED, AND THAT THE COMMANDING GENERAL'S AUTHENTICATION CORRECTLY CORRESPONDS TO THE FACTS STATED IN THE DOCUMENTATION, IS A MATTER OF INTERNAL U.S. ARMY DISCIPLINE. THE U.S. ARMY OFFICERS STATIONED AT THE U.S. CHECKPOINTS ARE RESPONSIBLE FOR VERIFYING, ON BEHALF OF THE COMMANDER IN CHIEF, U.S. ARMY EUROPE, AND OF THE U.S. COMMANDER BERLIN, THAT CARGO AND PERSONNEL ARE AS INDICATED IN THE DOCUMENTS."

2. WE AGREE WITH MOSCOW'S 1588 TO DEPT: THAT LAST PARA OF NOTE SHOULD BE AMENDED TO ELIMINATE REQUEST FOR POSITIVE SOV CONFIRMATION OF OUR POSITION. WE SUGGEST THE FOLLOWING WORDING:

"THE GOVERNMENT OF THE U.S.A. HAVING FULLY CLARIFIED ITS POSITION ON THIS MATTER, TRUSTS THAT THE SOV GOVT WILL TAKE APPROPRIATE MEASURES TO PREVENT FURTHER INCIDENTS WITH RESPECT TO OUR TRAFFIC ON THE AUTOBAHN."

3. BELIEVE PREFERABLE OMIT FINAL SENTENCE FOURTH PARA RE JUNE 29, 1945 AGREEMENT. SO FAR AS WE AWARE, THIS AGREEMENT WAS ORAL ONLY AND NO WRITTEN RECORD EXISTS EXCEPT GENERAL CLAY'S REPORT OF MEETING WITH ZHUKOV.

FYI. SOVS, IN DISCUSSING INSPECTION ISSUE IN BERLIN, HAVE REITERATED THAT IN JUNE 29, 1945 AGREEMENT GENERALS CLAY AND WEEKS AGREED THAT SOVS WOULD HAVE RIGHT TO "CONTROL" AUTOBAHN.

U.S. REPRESENTATIVES HAVE COUNTERED THIS BY QUOTING FOL EXTRACT FROM U.S. REPORT OF JUNE 29, 1945, MEETING:

"GENERAL CLAY ASKED FOR UNLIMITED ACCESS TO ROADS AND MARSHAL ZHUKOV STATED HE DID NOT UNDERSTAND JUST WHAT THE BRITISH AND AMERICANS DESIRED. IT WILL BE NECESSARY FOR VEHICLES TO BE GOVERNED BY RUSSIAN ROAD SIGNS, MILITARY POLICE, DOCUMENT CHECKING, BUT NO INSPECTION OF CARGO - THE SOVIETS ARE NOT INTERESTED IN

WHAT IS

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By BC

NARA Date 10/76

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-3- 686, FEBRUARY 12, 2 PM., FROM BERLIN

WHAT IS BEING HAULED, HOW MUCH, OR HOW MANY TRUCKS ARE MOVING.  
THIS WAS AGREEABLE TO ALL 3 POWERS REPRESENTED."

SOVS IN BERLIN HAVE NOT DENIED THAT ZHUKOV MADE THESE STATEMENTS;  
THEIR REJOINDER IS THAT GENERAL CLAY AGREED TO "CONTROL,"  
"CONTROL" MEANS INSPECTION, AND THAT IT IS NOT RPT NOT PERTINENT  
THAT SOVS ONLY LAST YEAR COMMENCED TO TRY TO IMPLEMENT THIS  
PHASE OF "CONTROL."

GUFLER

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By BG NARA Date 10/75